

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #
DATE FILED: 4-22-13

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

JUAN MIGUEL HERNANDEZ,

Petitioner,

V.

UNITED STATES OF AMERICA,

Respondents.

12 cv 8741 (PAC)

10-CR-149 (PAC)
April 22, 2013

* Named

S. A. Crotty

Paul A. Crotty
USDC

MOTION TO DEFAULT JUDGEMENT

Petitioner's 28 U.S.C. §2255 motion was docketed and entered 01/03/13, the Honorable Judge Paul A. Crotty, ordered the United States Attorney to response on 03/26/13. The government has failed to comply with that order, and has failed to request an extension. For this reason petitioner is filing the default of judgment.

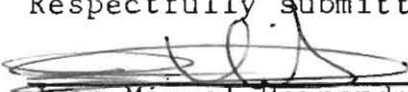
"Copy Mailed By chambers"

Again the Honorable Paul A Crotty ordered the United States District Attorney to respond to petitioner's 28 U.S.C. §2255 by 03/26/13. Again the government failed to comply with the order.

WHEREFORE, petitioner seeks to find the government on a default of judgment, and seeks an evidentiary hearing to correct his sentencing issues presented in his 28 U.S.C. §2255 petition.

DATED: 04/17/13

Respectfully submitted,


Juan Miguel Hernandez
Reg: Number:
F.C.I. Otisville
P.O. Box 1000


RECEIVED
APR 22 2013
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CERTIFICATE OF SERVICE

I, Juan Miguel Hernandez, certify under the penalty of perjury that on the foregoing is true and correct and that this motion to default judgement was placed in the prison mailing system to the party listed below:

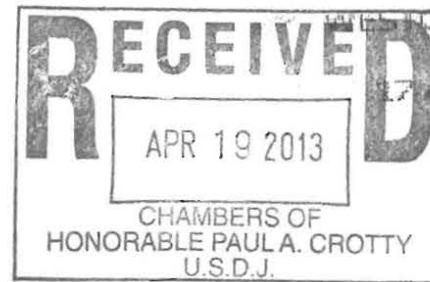
ATTN: Preet Bhara, Esq.
Assistant United States Attorney
United States Attorney's Office
1 Saint Andrews Plaza
New York, New York 10007

DATED: 04/17/13



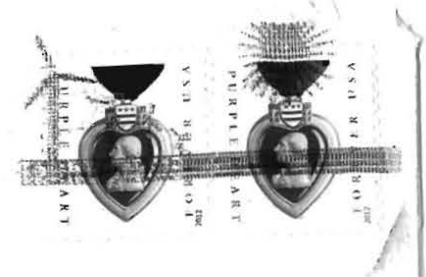
Juan Miguel Hernandez
Reg: Number:
F.C.I. Otisville
P.O. Box 1000
Otisville, New York 10963

NAME J. Hernandez
REGISTER NO. 63060054
FEDERAL CORRECTIONAL INSTITUTION
P.O. BOX 1000
OTISVILLE, NY 10963



WESTCHESTER NY 105

17 APR 2013 PM 1 L



Clerk of the Court/C.O. Paul A. Crotty
United States district Court
Southern district of New York
500 Pearl St. NY, NY 10007

10007193099

